



#29

Attorney Docket No. 6778-000001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Appeal No. _____

Group Art Unit: 2164
Examiner: Kelly Campen
Applicants: Sutton et al
Serial No.: ~~09/420,033~~ 09/363,499
Filed: July 29, 1999
Title: METHOD AND SYSTEM FOR
TRANSACTIONING AN ANONYMOUS
PURCHASE OVER THE INTERNET

Appeal Brief

RECEIVED

APR 05 2004

GROUP 3600

BRIEF ON BEHALF OF APPELLANTS

This is an appeal from the action of the Examiner dated October 21, 2003, finally rejecting Claims 18-22 of the present application. Copies of the appealed claims are attached as an appendix.

I. Real Party In Interest

The real party in interest in the present application is PrivaCash.com, Inc. who is the current assignee of the application. PrivaCash.com, Inc. has changed its name to PrivaCash, Inc.

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II. Related Appeals and Interferences

There are no known related appeals or interferences which will directly affect, be directly affected by, or otherwise have a bearing on the Board's decision in the pending appeal.

III. Status Of The Claims

Claims 18-22 are pending in the present application. Of the pending claims, Claims 18-21 stand rejected and are appealed. In the Final Office Action mailed October 21, 2003, the Examiner does not provide a rejection for Claim 22. Therefore, Applicants' representative assumes this claim has been allowed by the Examiner.

IV. Status Of Amendments

A response to the Examiner's final rejection of the pending claims was filed on January 27, 2004. At this time, Applicants' representative has not yet received an Advisory Action nor a Notice of Allowance from the Examiner. However, Applicants' representatives response to the final rejection did not contain any amendments to the pending claims, and thus Claims 18-21 stand rejected as presented in attached appendix and are appealed.

V. Summary Of The Invention

Applicants' invention is directed generally to a method of transacting an anonymous purchase. The primary objective of the method is to create a non-traceable means to transact a purchase. Thus, Applicants' invention involves the use of a pre-paid purchase card. Although the genesis of this invention involved purchases over the Internet, Applicant's invention also contemplated transacting non-traceable purchases at a "bricks and mortar" retailer.

An exemplary purchase card 40 is shown in Figures 4A and 4B. The purchase card 40 includes a unique and non-traceable Master Card or Visa credit account number 42 and an expiration date 44. The purchase card may also include a predetermined expiration (e.g., six month) from the date the consumer activates the card as well as an associated credit limit. However, the purchase card is not embossed with the name of its purchaser or otherwise identify the purchaser.

Purchase cards are issued by a credit card issuer (e.g., Citibank , BancOne, etc.) who sells the purchase cards in blocks to a purchasing intermediary, such as the assignee of the present application, PrivaCash.com, Inc. The purchasing intermediary 35 in turn sells each purchasing card 40 to consumers. In one exemplary embodiment, the purchasing cards are provided on a consignment basis by the purchasing intermediary 40 to participating retailers 32 (see, page 7, lines 10-15 of the originally filed application).

A consumer then buys a purchase card from the retailer. The consumer may use cash, debit or credit to buy the purchase card. In any case, the credit account number on the purchasing card 40 is not part of the transaction, and thus is not linked to the

consumer (see, page 8, lines 2-9). As a result, each purchasing card 40 is a "bearer card" which means it is as good as cash. Should the consumer lose or misplace the purchasing card 40, it may be used up to the limit available on the card by anyone in possession of the card. In this way, the purchasing card provides a means for preserving the anonymity of the purchaser in future purchases (see, page 8, lines 2-9).

Once the consumer acquires the purchase card, they are free to use it to transact a purchase with a retailer. In an exemplary embodiment, the consumer may transact a purchase over the Internet. The purchase transaction is effectuated using the account number from the purchase card in a manner similar to a conventional credit card transaction. If the consumer is prompted to provide a name associated with the card, they simply insert the name of the purchasing intermediary as provided on the card (see, page 11, lines 9-12), thereby preserving the anonymity of the purchaser.

VI. Issues

I. Does U.S. Patent No. 6,145,741 (Wisdom) render Claims 18-21 unpatentable under 35 U.S.C. §103(a)?

II. Do Applicants' previously submitted declarations establish conception of the invention prior to the filing date the relied upon reference, U.S. Patent No. 6,145,741 (Wisdom), thereby swearing behind and overcoming the rejection of Claims 18-21 under 35 U.S.C. §103(a)?

VII. Grouping of Claims

In the present application, a first group of Claims 18-21 are directed to a method for transacting an anonymous purchase; the claims of this group do not stand or fall together and each claim must be considered separately for patentability.

VIII. Arguments

Claims 18-21 stand rejected under 35 USC §103(a) as being unpatentable over U.S. Patent No. 6,145,741 (Wisdom). Applicant's representative traverses this rejection.

A. Claims 18-21 are novel and non-obvious in view of Wisdom

Under 35 U.S.C. §103, "the scope and content of the prior art are to be determined; differences between the prior art and the claims at issue are to be ascertained; and the level of ordinary skill in the pertinent art resolved. Against this background, the obviousness or nonobviousness of the subject matter is determined." *Graham v. John Deere Co. of Kansas City*, 148 U.S.P.Q. 459, 467 (U.S. 1966). In the Final Office Action, the Examiner has (a) misstated the content of the prior art teachings and (b) incorrectly analyzed the similarity and differences between prior art as compared to the claimed invention.

1. Factual Errors by the Examiner

Wisdom is directed generally to a pre-paid gasoline and travel card. As noted by

the Examiner, Wisdom does not disclose that the pre-paid card is initially purchased by a purchasing intermediary and then supplied to a retail establishment for resale to the end user as recited in Claims 18 and 19. The Examiner then incorrectly asserts that insertion of a purchasing intermediary in a supply chain is notoriously well known in the art.

The Examiner's assertion is not correct in the context of credit card products. To minimize the risk of fraudulent activities, credit cards, debit cards and other similar financial products are provided by an issuing bank directly to the end user, without the insertion of an intermediary. Distribution of the cards in this manner is in accordance with the rules and regulations established by the applicable interchange association (i.e., Visa or Mastercard). As a practical example, Applicants have only recently convinced Mastercard to permit a purchase card product as recited in the present invention. Specifically, a purchase card that is issued by an issuing bank and then sold in blocks to a purchasing intermediary. The purchasing intermediary then distributes the purchase cards to end users through various channels, including providing the purchase cards to participating retail establishments. Thus, the Examiner's unsupported assertion is not correct in the context of such financial instruments. Accordingly, Applicant asserts that this aspect of the present invention in combination with other limitations as recited in Claims 18 and 19 define patentable subject matter over Wisdom.

With regard to Claim 20, the Examiner states that gas cards possess one or more authenticating and security codes recorded in each card. Again, there is no support for the Examiner's assertion. In Wisdom, authentication occurs at the time an end user transacts a purchase. Thus, there is no teaching or suggestion in Wisdom for a step of

activating the gas card with an intermediary. In contrast, Claim 20 recites that the purchase card is activated by contacting the purchasing intermediary. Because the purchase cards of the present invention are not directly provided to the end user, an activation step is optionally employed before the cards can be used by the end user. The activation step is further described on pages 8 and 9 of the present application. Therefore, Applicant further asserts that Claim 20 defines patentable subject matter over Wisdom.

1. Legal Errors by the Examiner

The Examiner's assertion regarding the insertion of an intermediary appears to be allegedly based on common knowledge. Ordinarily, there must be some form of evidence in the record to support an assertion of common knowledge. MPEP 2144.03. See also, *In re Lee*, 277 F.3d 1338, 1344-45, 61 USPQ2d 1430, 1434-35 (Fed. Cir. 2002); *In re Zurko*, 258 F.3d 1379, 1386, 59 USPQ2d 1693, 1697 (Fed. Cir. 2001). In this case, the Examiner has failed to set forth findings predicted on sound reasoning to support her conclusion of common knowledge. To adequately traverse such a finding, an applicant must specifically point out the supposed errors in the examiner's assertion, which would include stating why the noticed fact is not considered to be common knowledge or well-known in the art. MPEP 2144.03. As explained above, the prior art teaches that such financial products are provided by an issuing bank directly to the end user, without an intermediary. Accordingly, Applicants have traversed the Examiner's assertion. Since Applicant's representative adequately traverses the Examiner's assertion, the Examiner

must provide documentary evidence if the rejection is to be maintained. MPEP 2144.03.

Furthermore, Applicant's representative note that the prior art must be considered in its entirety, including portions that would teach away from the claimed invention. *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303 (Fed. Cir. 1983). As previously discussed, distribution of the purchase cards by an intermediary was inconsistent with the rules and regulations of the known interchange associations at the time of filing of the present application. In other words, the alleged common knowledge relied upon by the Examiner fails to contain the requisite suggestion or motivation needed to formulate the obviousness rejection. Moreover, the prior art teaches away from the use of an intermediary to distribute such financial products. Proceeding contrary to accepted wisdom in the art is further evidence on non-obvious. *In re Hedges*, 783 F.2d 1038, 228 USPQ 685 (Fed. Cir. 1986). In view of the teachings relied upon by the Examiner, it is improper to set forth a rejection for obviousness.

B. Rejection overcome by submission of declarations

The rejection has been overcome by the submission of the declarations swearing behind the relied upon reference. Applicants previously submitted declarations of Doug Blaisman and David Sutton in accordance with 37 C.F.R. §1.131 which establish the conception of the Applicant's invention in the United States prior to April 27, 1999, which is the filing date of the Wisdom reference. Declarations were initially filed by the Applicant along with a response dated September 9, 2002. In view of feedback from previous Examiner James Bergin, Applicant submitted revised declarations along with a

response dated July 10, 2003. Applicant notes that these revised declarations were filed after the submission of a Request for Continued Examination, and thus are of record in the present application. Copies of the revised declarations are attached hereto.

In the most recent Office Action dated October 21, 2003, the Examiner asserts that the evidence submitted is insufficient to establish the conception of the invention prior to the effective date of the Wisdom reference. Specifically, the Examiner asserts that the documentary evidence does not show the step involving the purchasing intermediary. Applicant respectfully disagrees.

First, the documentary evidence does suggest that the purchasing cards would be provided by a purchasing intermediary to a retail establishment for distribution to consumers. To evidence conception, Applicant submitted a mock up of an exemplary purchase card. The mock up purchase card includes indicia for three entities associated with the distribution of the purchase cards: a card issuing bank (i.e., Key Bank), an interchange association (i.e., Mastercard), and a purchasing intermediary (i.e., PRIVACASH.COM). Thus, the documentary evidence discloses a purchasing intermediary. Furthermore, the mock-up card provides various instructions as to how to use the card. For instance, the card states "Just go to our website at PRIVACASH.COM and type in the number below ... [y]our card is immediately activated." Since the purchaser is required to activate the card by contacting the purchasing intermediary, this implies that the card was acquired from someone other than the purchasing intermediary. If the purchasing intermediary provided the purchase card directly to the purchaser, there would be no need to activate the card. Rather, the purchase card could be activated at

the time it was acquired from the purchasing intermediary. In other words, the purchase card must have been supplied from the purchasing intermediary to a retail establishment, where the card was purchased by the purchaser. Thus, the documentary evidence shows the step involving the purchasing intermediary.

Additionally, the Examiner must consider all of the evidence presented in its entirety, including the declaration. MPEP 715.07. Moreover, an accompanying exhibit need not support all claimed limitations, provided that any missing limitations are supported by the declaration. *Ex parte Ovshinsky*, 10 USPQ2d 1075 (Bd. Pat. App. & Inter. 1989). Thus, the revised declarations made by the inventors further corroborate this feature of the claimed invention. In particular, the declarations state “[t]o the extent that the attached document does not disclose the step involving the purchasing intermediary, I further declare that prior to April 27, 1999, the inventors had conceived, in the United States, that the purchasing cards in the Subject Application would be provided by a purchasing intermediary to a retail establishment for distribution to consumers” (see paragraph four of the revised declarations). Since an accompanying exhibit need not support all claimed limitations, provided that any missing limitations are supported by the declaration, Applicant asserts that the revised declarations are sufficient to overcome the outstanding rejection. This constitutes legal and factual error by the examiner.

In sum, the pending claims are distinguishable from the relied upon reference and the rejection based on this reference has been overcome by the submission of the declarations.

IX. CONCLUSION

For the foregoing reasons, the rejected claims are patentably distinguishable over the art relied upon by the Examiner. Accordingly, Applicant's representative respectfully request that this Board reverse the final rejection of Claims 18-21.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Timothy D. MacIntyre', with a large, sweeping initial 'T'.

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APPENDIX

X. Claims On Appeal

18. A method of transacting an anonymous purchase, comprising:
 - supplying at least one purchase card from a purchasing intermediary to a retail establishment;
 - purchasing the purchase card from the retail establishment, the purchase card including an associated account number, but does not identify the purchaser;
 - providing purchase transactional information, including the account number associated with the purchase card, to a retailer, the retailer being different from the purchasing intermediary; and
 - transacting a purchase with the retailer based on the account number associated with the purchase card, thereby maintaining the anonymity of the purchaser.
19. The method of Claim 18 further comprises purchasing the at least one purchase card by the purchasing intermediary from a purchase card provider, the purchase card provider being independent from the retailer.
20. The method of Claim 18 wherein the step of purchasing the purchase card further comprises activating the purchase card by the contacting the purchasing intermediary.
21. The method of Claim 18 wherein the step of transacting a purchase with the retailer further comprises the step of authorizing the purchase with the purchase card provider.



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HDP/SB/21 based on PTO/SB/21 (08-00)

Please type a plus sign (+) inside this box → ☒**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

| | |
|------------------------|---------------|
| Application Number | 09/363,499 |
| Filing Date | July 29, 1999 |
| First Named Inventor | Sutton et al. |
| Group Art Unit | 2164 |
| Examiner Name | Kelly Campen |
| Attorney Docket Number | 6778-000001 |

Total Number of Pages in This Submission

7

ENCLOSURES (check all that apply)☒ Fee Transmittal Form☒ Fee Attached☐ Amendment / Response☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/
Incomplete Application☐ Response to Missing
Parts under 37 CFR
1.52 or 1.53☐ Assignment Papers
(for an Application)☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application☐ Power of Attorney, Revocation
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ After Allowance Communication to
Group☐ Appeal Communication to Board of
Appeals and Interferences☒ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s)
(please identify below):**Acknowledgement Postcard.**

Remarks

The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.

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GROUP 3600**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

| | | | |
|-------------------------------|----------------------------------|---------------------------------------|--------------------|
| Firm or Individual name | Harness, Dickey & Pierce, P.L.C. | Attorney Name Timothy D. MacIntyre | Reg. No. 42,824 |
| Signature | | | |
| Date | March 26, 2004 | | |

CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as express mail in an envelope addressed to: Director of the U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date indicated below.

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|-----------------------|----------------|---------------------------|-------------------------------|
| Typed or printed name | Michelle Smith | Express Mail Label No. | EV 406 074 824 US (3/26/2004) |
| Signature | | Date | March 26, 2004 |

EV 406 074 824 US



FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 165

Complete if Known

Application Number 09/363,499
Filing Date July 29, 1999
First Named Inventor Sutton et al.
Examiner Name Kelly Campen
Art Unit 2164
Attorney Docket No. 6778-000001

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METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money ☐ Other ☐ None
Order

☐ Deposit Account:

Deposit
Account
Number

08-0750

Deposit
Account
Name

Harness, Dickey & Pierce, P.L.C.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1001 | 770 | 2001 | 385 | Utility filing fee | |
| 1002 | 340 | 2002 | 170 | Design filing fee | |
| 1003 | 530 | 2003 | 265 | Plant filing fee | |
| 1004 | 770 | 2004 | 385 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |
| SUBTOTAL (1) | | | | | (\$) 0 |

2. EXTRA CLAIM FEES

| | | | Extra Claims | | Fee from below | | Fee Paid | |
|-----------------------|----------------------|--------|-----------------|--------------------------------|-------------------|----------------------|-------------|--------------------------------|
| Total Claims | <input type="text"/> | -20 ** | = | <input type="text" value="0"/> | X | <input type="text"/> | = | <input type="text" value="0"/> |
| Independent Claims | <input type="text"/> | -3 ** | = | <input type="text" value="0"/> | X | <input type="text"/> | = | <input type="text" value="0"/> |
| Multiple Dependent | | | | | X | <input type="text"/> | = | <input type="text" value="0"/> |

| Large Entity | | Small Entity | | Fee Description |
|--------------|----------|--------------|----------|--|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | |
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 |
| 1201 | 86 | 2201 | 43 | Independent claims in excess of 3 |
| 1203 | 290 | 2203 | 145 | Multiple dependent claim, if not paid |
| 1204 | 86 | 2204 | 43 | ** Reissue independent claims over original patent |
| 1205 | 18 | 2205 | 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet. | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 420 | 2252 | 210 | Extension for reply within second month | |
| 1253 | 950 | 2253 | 475 | Extension for reply within third month | |
| 1254 | 1,480 | 2254 | 740 | Extension for reply within fourth month | |
| 1255 | 2,010 | 2255 | 1,005 | Extension for reply within fifth month | |
| 1401 | 330 | 2401 | 165 | Notice of Appeal | |
| 1402 | 330 | 2402 | 165 | Filing a brief in support of an appeal | 165 |
| 1403 | 290 | 2403 | 145 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,330 | 2453 | 665 | Petition to revive - unintentional | |
| 1501 | 1,330 | 2501 | 665 | Utility issue fee (or reissue) | |
| 1502 | 480 | 2502 | 240 | Design issue fee | |
| 1503 | 640 | 2503 | 320 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17 (q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 770 | 2809 | 385 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 1810 | 770 | 2810 | 385 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 1801 | 770 | 2801 | 385 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 165

SUBMITTED BY

Complete (if applicable)

| | | | | | |
|-------------------|----------------------|---------------------------------|--------|-----------|----------------|
| Name (Print/Type) | Timothy D. MacIntyre | Registration No. Attorney/Agent | 42,824 | Telephone | 248-641-1600 |
| Signature | | | | Date | March 26, 2004 |

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FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 165

Complete if Known

Application Number 09/363,499
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First Named Inventor Sutton et al.
Examiner Name Kelly Campen
Art Unit 2164
Attorney Docket No. 6778-000001

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APR 05 2004

GROUP 3600

| METHOD OF PAYMENT (check all that apply) | | | | FEE CALCULATION (continued) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--------------|----------|----------|--|--------------|----------|----------|-----------------|----------|------|------|-----|-----|------------------------|--|------|------|-----|-----|-----------------------------------|--|------|------|-----|-----|---------------------------------------|--|------|------|-----|-----|--|--|------|------|-----|----|--|--|--------------|--|--|--|--------|--|--|--|--|--|
| <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money <input type="checkbox"/> Other <input type="checkbox"/> None Order | | | | 3. ADDITIONAL FEES | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Deposit Account: Deposit Account Number 08-0750 Deposit Account Name Harness, Dickey & Pierce, P.L.C. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| The Director is authorized to: (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1. BASIC FILING FEE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1"><thead><tr><th>Large Entity</th><th>Small Entity</th><th>Fee Code</th><th>Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>1001</td><td>2001</td><td>770</td><td>385</td><td>Utility filing fee</td><td></td></tr><tr><td>1002</td><td>2002</td><td>340</td><td>170</td><td>Design filing fee</td><td></td></tr><tr><td>1003</td><td>2003</td><td>530</td><td>265</td><td>Plant filing fee</td><td></td></tr><tr><td>1004</td><td>2004</td><td>770</td><td>385</td><td>Reissue filing fee</td><td></td></tr><tr><td>1005</td><td>2005</td><td>160</td><td>80</td><td>Provisional filing fee</td><td></td></tr><tr><td colspan="4">SUBTOTAL (1)</td><td colspan="2">(\$ 0)</td></tr></tbody></table> | | | | Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Description | Fee Paid | 1001 | 2001 | 770 | 385 | Utility filing fee | | 1002 | 2002 | 340 | 170 | Design filing fee | | 1003 | 2003 | 530 | 265 | Plant filing fee | | 1004 | 2004 | 770 | 385 | Reissue filing fee | | 1005 | 2005 | 160 | 80 | Provisional filing fee | | SUBTOTAL (1) | | | | (\$ 0) | | | | | |
| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Description | Fee Paid | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1001 | 2001 | 770 | 385 | Utility filing fee | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1002 | 2002 | 340 | 170 | Design filing fee | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1003 | 2003 | 530 | 265 | Plant filing fee | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1004 | 2004 | 770 | 385 | Reissue filing fee | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1005 | 2005 | 160 | 80 | Provisional filing fee | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SUBTOTAL (1) | | | | (\$ 0) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2. EXTRA CLAIM FEES | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total Claims 20 ** = 0 X Fee from below = 0 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Independent Claims 3 ** = 0 X Fee from below = 0 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Multiple Dependent X Fee from below = 0 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1"><thead><tr><th>Large Entity</th><th>Small Entity</th><th>Fee Code</th><th>Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>1202</td><td>2202</td><td>18</td><td>9</td><td>Claims in excess of 20</td><td></td></tr><tr><td>1201</td><td>2201</td><td>86</td><td>43</td><td>Independent claims in excess of 3</td><td></td></tr><tr><td>1203</td><td>2203</td><td>290</td><td>145</td><td>Multiple dependent claim, if not paid</td><td></td></tr><tr><td>1204</td><td>2204</td><td>86</td><td>43</td><td>** Reissue independent claims over original patent</td><td></td></tr><tr><td>1205</td><td>2205</td><td>18</td><td>9</td><td>** Reissue claims in excess of 20 and over original patent</td><td></td></tr><tr><td colspan="4">SUBTOTAL (2)</td><td colspan="2">(\$ 0)</td></tr></tbody></table> | | | | Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Description | Fee Paid | 1202 | 2202 | 18 | 9 | Claims in excess of 20 | | 1201 | 2201 | 86 | 43 | Independent claims in excess of 3 | | 1203 | 2203 | 290 | 145 | Multiple dependent claim, if not paid | | 1204 | 2204 | 86 | 43 | ** Reissue independent claims over original patent | | 1205 | 2205 | 18 | 9 | ** Reissue claims in excess of 20 and over original patent | | SUBTOTAL (2) | | | | (\$ 0) | | | | | |
| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Description | Fee Paid | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1202 | 2202 | 18 | 9 | Claims in excess of 20 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1201 | 2201 | 86 | 43 | Independent claims in excess of 3 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1203 | 2203 | 290 | 145 | Multiple dependent claim, if not paid | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1204 | 2204 | 86 | 43 | ** Reissue independent claims over original patent | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1205 | 2205 | 18 | 9 | ** Reissue claims in excess of 20 and over original patent | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SUBTOTAL (2) | | | | (\$ 0) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| **or number previously paid, if greater; For Reissues, see above | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | Other fee (specify) _____ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | *Reduced by Basic Filing Fee Paid | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | SUBTOTAL (3) (\$ 165) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| SUBMITTED BY | | | Complete (if applicable) | | |
|-------------------|----------------------|---------------------------------|--------------------------|----------------|--------------|
| Name (Print/Type) | Timothy D. MacIntyre | Registration No. Attorney/Agent | 42,824 | Telephone | 248-641-1600 |
| Signature | | | Date | March 26, 2004 | |

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